IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

C.M.No.5256-CII of 2007 and
C.R.No.1269 of 2007
DATE OF ORDER: 15.3.2007

Tara Singh

...Petitioner(s)

Versus

Sohan Lal and Others

....Respondent(s)

CORUM : HON'BLE MR. JUSTICE M.M. AGGARWAL

.*.*.*.

Present: Mr. Malkeet Singh, Advocate.

M.M. AGGARWAL,J

C.M.No.5257-CII of 2007

Application is allowed. Copy of the plaint and written statement are taken on record.

C.R.No.1269 of 2007

It comes out that the defendant, now petitioner had filed written statement earlier in the year 2001.

This is petition against order dated 30.1.2007 passed by Civil Judge(Jr.Divn.), Phillaur whereby request of the defendant-petitioner for amendment in the written statement was declined.

Counsel for the petitioner-defendant states that the amendment was for correcting the boundaries of the properties and then to give particulars in the form of pedigree table.

From the perusal of the orders of the trial Court, it would come out that the evidence of the plaintiff and the defendant is already closed.

Counsel for the petitioner-defendant states that if the amendment is allowed, defendant will not lead any further evidence.

Keeping into account the fact that the defendant-petitioner is not to lead evidence after the amendment is allowed, this petition is

allowed. Let amendment be made in the written statement subject to payment of Rs.2000/- as costs to the plaintiff. Plaintiff shall be given a right to lead evidence to disprove the plea taken in amended written statement.

March 15, 2007 (M.M. AGGARWAL)
manoj JUDGE